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by court injunctions; but, as education progressed and as the public demand for books increased, the boycott grew less efficient; and finally the courts gave away. In 1747, Mason had offered to edit Milton's minor poems *gratis* for Dodsley; but Tonson controlled the copyright, and the scheme was dropped.<sup>46</sup> In 1762, Donaldson published an edition in Edinburgh, brought copies up to London, and sold them in spite of Tonson. In 1775, Blandon printed *Paradise Lost* in London itself; and the fiction of Tonson's "property" right was over. Cowper or Hayley might edit Milton, and anyone might print or publish the text. An author's royalties were safe, at least so far as Great Britain was concerned, for his twenty-eight years; then his book, if it had permanent value, became public property; and the bookseller could no longer dictate arbitrary terms to the reading public or to the man of letters.

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### NOTES ON BEN JONSON'S *CATILINE*

The following notes are offered as supplementary to a recent commentary on the *Catiline*, published by Dr. L. H. Harris, New Haven, 1916.

ii, 191. Fulvia's gibe at Sempronia and her lovers,

Yes, and they study your kitchen more than you,

is taken from Tiresias' comment on the wooers of Penelope, Horace, *Sat.* ii, 5, 79-80,

Venit enim magnum donandi parca iuventus,  
Nec tantum Veneris quantum studiosa culinae.

iii, 1-50. The Consul's speech is taken freely from the beginning of Cicero's Second Oration on the Agrarian Law. Compare lines 4-6,

where, if he erre,  
He findes no pardon; and for doing well,  
A most small praise, and that wrung out by force,

<sup>46</sup> Straus *op cit.*, 114-5.

with Cicero, 2, 5,

cuius errato nulla venia, recte facto exigua laus et ab invitis  
expressa proponitur;

19-25,

But a new man (as I am stil'd in Rome)  
Whom you have dignified; and, more, in whom  
Yo' have cut a way, and left it ope for vertue  
Hereafter, to that place which our great men  
Held shut up, with all ramparts, for themselves.  
Nor have but few of them in time been made  
Your Consuls so; new men, before me, none, etc.,

with 1, 3,

Me . . . hominem novum consulem fecistis, et eum locum  
quem nobilitas praesidiis firmatum atque omni ratione obvalla-  
tum tenebat me duce rescidistis, virtutique in posterum patere  
voluistis. Neque me tantum modo consulem . . . sed ita fecistis  
quo modo pauci nobiles in hac civitate consules facti sunt, novus  
ante me nemo, etc.;

32-39,

But my care,  
My industrie and vigilance now must worke,  
That still your counsellis of me be approv'd  
Both by yourselves and those to whom you have,  
With grudge, prefer'd me; two things I must labour,  
That neither they upbraid, nor you repent you.  
For every lapse of mine will now be call'd  
Your error, if I make such,

with 3, 6,

Quod si solus in discrimen aliquod adducerer, ferrem, Quirites,  
animo aequiore; sed mihi videntur certi homines, si qua in re  
me non modo consilio, verum etiam casu lapsum esse arbitra-  
buntur, vos universos, qui me antetuleritis nobilitati, vitupera-  
turi. Mihi autem, Quirites, omnia potius perpetienda esse duco  
quam non ita gerendum consulatum, ut in omnibus meis factis  
atque consiliis vestrum de me factum consiliumque laudetur;

and 47-52,

I know well in what termes I doe receive  
The common wealth, how vexed, how perplex'd;  
In which there's not that mischiefe, or ill fate,  
That good men feare not, wicked men expect not.  
I know, beside, some turbulent practises  
Alreadie on foot, and rumors of moe dangers,

with 3, 8,

Ego qualem Kalendis Ianuariis acceperim rem publicam,  
Quirites, intellego, plenam sollicitudinis, plenam timoris; in qua  
nihil erat mali, nihil adversi, quod non boni metuerent, improbi  
exspectarent; omnia turbulenta consilia, etc.

The opening words of this speech, "Great honors are great burdens," represent a familiar Latin play on the words *honor*, *onus*. Cp. the proverb "Est onus omnis honor;" Ovid, *Her.* ix, 31, "non honor est sed onus."

iii, 85. "Most popular Consul." Cp. Cicero, *De Lege Agraria*, ii, 4, 9, "dixi . . . me popularem consulem futurum," etc.

iii, 108. "And watch the watcher." Cp. Juvenal, vi, 347, "sed quis custodiet ipsos Custodes?"

iii, 280. "The farre-triumphed world." Cp. Ovid, *Amores*, i, 15, 26, "Roma triumphati dum caput orbis erit."

iii, 753. "Emulous Carthage." Cp. Sallust, *Catiline*, x, 1, "Carthago aemula imperi Romani;" also, Horace, *Epod.* xvi, 5, "aemula nec virtus Capuae," etc.

iv, 64-65 (cp. v, 103-4).

What may be happy and auspicious still  
To Rome and hers.

Cp. the frequent formulae of the sort in Livy; *e. g.*, i, 28, 7, "quod bonum faustum felixque sit populo Romano," etc.; also Cicero, *Div.* i, 102, "maiores nostri . . . omnibus rebus gerendis 'quod bonum faustum felix fortunatumque esset' praefabantur."

iv, 755-757,

like Capaneus at Thebes,  
They should hang dead upon the highest spires,  
And aske the second bolt, to be throwne downe.

Cp. Statius, *Thebais*, x, 936-939 (of Capaneus),

Pectoraque invisibilibus obicit flammantia muris,  
Ne caderet; . . . . .  
. . . . . paulum si tardius artus  
Cessissent, potuit fulmen sperare secundum.

v, 56-63. The speech of Petreius to his soldiers,

Chiefly, when this sure joy shall crowne our side,  
That the least man who falls upon our partie  
This day (as some must give their happy names

To fate, and that eternall memorie  
 Of the best death, writ with it, for their cuntry)  
 Shall walke at pleasure in the tents of rest,  
 And see farre off, beneath him, all their host  
 Tormented after life, etc.,

should perhaps be compared with Cicero's Fourteenth Philippic, xii, 31,

O fortunata mors, quae naturae debita pro patria est potissimum reddita! . . . Etenim Mars ipse ex acie fortissimum quemque pignerari solet. Illi igitur impii, quos cecidistis, etiam ad inferos poenas parricidii luent; vos vero, qui extremum spiritum in victoria effudistis, piorum estis sedem et locum consecuti. Brevis a natura vita vobis data est, at memoria bene redditae vitae sempiterna.

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## CHAUCER AND THE "FOWLE OK"

A robbery *per se* committed five centuries and more ago may not be of much importance; when, however, it concerns the poet Chaucer the matter assumes proportions of interest. The poet, according to the records, was robbed near the "fowle ok" September 3, 1390; and exactly three days later he was robbed twice,—at Westminster, and at Hatcham, Surrey.<sup>1</sup> Whether there were three robberies inside of four days, or whether through blunders in the documents there were but two has never been definitely decided. Mr. Selby<sup>2</sup> did not attempt, in his exhaustive investigation of the robberies, to identify the Foul Oak incident with either of the other two. Mr. Kirk<sup>3</sup> thought that if the accounts are to be taken literally there were three holdups, though elsewhere<sup>4</sup> he considered Skeat's identification as "probable." Skeat<sup>5</sup> had remarked that the robbery at "Hatcham, Surrey (now a part of London, approached by the Old Kent Road and not far from Deptford and Greenwich;" was identical with the one near the Foul Oak. Thus,

<sup>1</sup> *Life-Records*, 2nd series (1875), Part I.

<sup>2</sup> *Ibid.*, pp. 5 ff.

<sup>3</sup> *Ibid.* (1900), p. xl; cf. *ibid.*, Part IV, p. 292 note.

<sup>4</sup> *Ibid.*, p. xli note.

<sup>5</sup> *Works*, I, p. xli.